

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-9666 - APPLICANT/OWNER: SAGEBRUSH CANTINA, LLC

THIS ITEM WAS TABLED AT THE DECEMBER 21, 2005 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-9662) to a C-1 (Limited Commercial) Zoning District, a Special Use Permit (SUP-9664) for a proposed Service Station, and a Special Use Permit (SUP-9665) for a proposed Liquor Establishment (Tavern) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan date stamped 10/20/05 and building elevations date stamped 10/04/05, except as amended by conditions herein.
4. A Waiver from building placement requirements is hereby approved.
5. A Waiver from foundation landscaping requirements is hereby approved, to allow the foundation landscaping to be less than the required six foot minimum width.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. The applicant will be required to provide a transit service turn out at the southwest corner of Kyle Canyon Road and Oso Blanca Road along Kyle Canyon Road. This turn out may be designed as an exclusive right-turn lane per the drawing provided by the Regional Transportation Commission.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. The proposed driveways accessing Kyle Canyon Road and Oso Blanca Road shall receive approval from the Nevada Department of Transportation.
17. Landscape and maintain all unimproved rights-of-way, if any, on Kyle Canyon Road and Oso Blanca Road adjacent to this site.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Kyle Canyon Road and Oso Blanca Road public rights-of-way adjacent to this site prior to the issuance of any permits.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-9662 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 3,826 square-foot Service Station and a 6,444 square-foot Tavern and waivers of building placement and foundation landscaping requirements on 2.48 acres adjacent to the southwest corner of Oso Blanca Road and Kyle Canyon Road.

B) Applicant's Justification

The applicant states that the benefits of this project are in line with the goals, objectives, and policies of the Centennial Hills Sector Plans goals and objectives. The applicant notes that the proposed use can be operated in a manner that is harmonious and compatible with the surrounding area.

BACKGROUND INFORMATION

A) Related Actions

There is no case history related to this site.

11/17/05 The Planning Commission recommended approval of related items (ZON-9662, SUP-9664 and SUP-9665).

11/17/05 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #41/ng).

B) Pre-Application Meeting

09/23/05 A pre application meeting was held where it was noted that there would be a future conflict with the northern beltway, the applicant would be responsible for off-site improvements. The elements of the Site Plan and associated applications were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.48

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: PCD (Planned Community Development)

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
U (Undeveloped) [SC (Service Commercial) General Plan Designation]
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: U (Undeveloped) [SC (Service Commercial) General Plan Designation]
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) General Plan Compliance

The subject property is designated as SC (Service Commercial) under the Centennial Hills Sector Plan of the General Plan. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. This category also includes offices either individually or grouped as office centers with professional and business services. This category includes the neighborhood and Village Center concept areas. The subject property is located in a Village Center concept area per the Centennial Hills Sector Concept Land Use Map. The property was annexed into the City of Las Vegas from Clark County in 2005. The Clark County land use designation was Service Commercial and per the Interlocal Agreement the subject properties land use remained Service Commercial as it had been with Clark County. This site plan conforms to applicable General Plan policies and zoning regulations other than those subject to the requested Waivers.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a “Project of Regional Significance” for the following reasons:

- 1) The subject property requires a Special Use Permit application within 500 feet of the City boundary with Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) The Regional Transportation Commission recommends a transit service turnout be located at the southwest corner of Kyle Canyon Road and Oso Blanca Road along Kyle Canyon Road. This turn out may be designed as an exclusive right-turn lane per the provided drawing. This is addressed as a condition of approval as part of this report.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

PROJECT DESCRIPTION

The proposed project is for a convenience store with fuel sales (Service Station) and a 6,444 square foot Tavern. The project requires waivers of building placement and foundation landscape requirements. It should be noted that the applicant is providing foundation landscaping of the required six-foot minimum width around a portion of both buildings. Access is provided from both Kyle Canyon Road and Oso Blanca Road to improve traffic circulation. With the exception of the two waivers the project is in compliance with all standards. There are two requests for Special Use Permits, for a proposed Liquor Establishment (Tavern) and a proposed service station, and a request for a Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation)] to a C-1 (Limited Commercial) zone associated with this Site Development Plan Review. It is also noted that this is a project of regional significance as Special Use Permits are required within 500 feet of Clark County.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Proposed C-1	Provided	Compliance
Min. Lot Width	100 Feet	265 Feet	Y
Min. Setbacks			
• Front	20 Feet	135 Feet	Y
• Side	10 Feet	37.5 Feet	Y
• Corner	15 Feet	145 Feet	Y
• Rear	20 Feet	95 Feet	Y

Max. Lot Coverage	50 %	9.32 %	Y
Trash Enclosure	50 Feet from residential	90 Feet to street centerline	Y
Loading Zone	15 Feet by 25 Feet	15 Feet by 25 Feet	Y
Mech. Equipment	Screened	Screened	Y

The proposed development is in compliance with all development standards required by Title 19.08.

A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,626 SF.	1/250 GFA	15			
Tavern	3,076 SF. 3,368 SF.	1/50 GFA 1/200 GFA	79			
Total			94	4	95	4

The subject property is in compliance with Title 19.10 parking requirements.

This project will add approximately 3,886 trips per day on Kyle Canyon Road and Oso Blanca Road. This will increase expected volumes by about 237 percent on Kyle Canyon Road. Note that this is due to the very low existing volumes on Kyle Canyon, not because of extremely high volumes generated by this project. Kyle Canyon is at about 10 percent of capacity and Oso Blanca Road is believed to be well under capacity.

Based on Peak Hour use, this development will add roughly 290 additional cars into the area; which works out to about 5 every minute.

Note that this report assumes all traffic from this development uses all named streets.

A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	16 Trees	Y
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	43 Trees	Y
• Min. Zone Width	8 Feet		Y
• Wall height	8 Feet		

The site meets the requirements of both parking lot and perimeter landscaping. The site does not meet foundation-landscaping requirements and the applicant, as part of this Site Development Plan Review, has requested a waiver of this standard. It is noted that the applicant is providing the required six-foot wide minimum foundation landscaping around a portion of both buildings.

B) General Analysis and Discussion

- Zoning

There is a related request for Rezoning (ZON-9662) to go from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) with this Site Development Plan Review request. The proposed use as a Liquor Establishment (Tavern) and convenience store with fuel pumps (Service Station) would be allowed with the approval of the Rezoning request and would be subject to the conditions of approval of the Rezoning

- Site Plan

The site plan shows a convenience store, with fuel sales (Service Station), and a Tavern. The fuel pumps are located near the access way provided from Kyle Canyon Road. The convenience store is near the center of the parcel with the tavern located behind the convenience store. Site access and circulation will be acceptable as there are two major points of ingress and egress as well as a tertiary access point near the southwest corner of the property. Trash enclosures and loading areas are provided for both buildings and meet Title 19 requirements. Parking totals are met as well as all handicapped parking requirements. There is a covered walkway between the two buildings to provide shade and add to the aesthetics of the site. This site plan meets all requirements except those as outlined below.

- Waivers

The applicant has requested waivers of building placement and foundation landscaping requirements. It is noted that the applicant is providing foundation landscaping of the minimum six-foot width around portions of each building, but not around the entire building as required

- Landscape Plan

The landscape plan depicts acceptable levels of both parking lot and perimeter landscaping. The site does not meet foundation-landscaping requirements and a waiver of foundation landscaping requirements has been requested. It is noted that the applicant is providing foundation landscaping of the minimum six-foot width around portions of each building, but not around the entire building as required. All landscaping materials are acceptable.

- Elevation

The elevations show two single-story structures typical of their respective uses. The maximum building height is 33 feet 11.25 inches for the tavern and 28 feet 2.75 inches for the convenience store.

- Floor Plan

Floor plans are typical of the respective uses as a convenience store and a tavern. Floor plans are acceptable.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The surrounding land is currently undeveloped. The property is located near an interchange and has been designated as a Village Center on the Centennial Hills Sector Concept Land Use Map. The majority of the properties near the interchange are designated for commercial uses. The proposed use, as a Liquor Establishment (Tavern) and Service Station would be compatible with future surrounding land use and development.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development requires waivers of Title 19 foundation landscaping and building placement requirements. The proposed development is in compliance with all other plans and policies. There are requests for Rezoning (ZON-9662) to a C-1 (Limited Commercial) zone and requests for Special Use Permits (SUP-9664 and SUP-9665) for a proposed service station and liquor establishment (tavern) associated with this Site Development Plan Review.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

Site access is provided from Kyle Canyon Road and Oso Blanca Road. This location is also just west of the US 95/Kyle Canyon Road interchange. These roads will provide adequate access for the proposed project. It is noted that Public Works is requiring a traffic study for this development.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Building and landscape materials are appropriate for the City of Las Vegas.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

Building elevations and design characteristics show two buildings that use a western general store theme in their design. The buildings are not unsightly and are compatible with development of this nature.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The site will be subject to inspections and will not compromise public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0